

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

CR 13-58 SRN/JJG

UNITED STATES OF AMERICA,

INDICTMENT

Plaintiff,

v.

1. JOSE ALFREDO VARELA-MERAZ,

Defendant.

(6 U.S.C. § 202)  
(6 U.S.C. § 557)  
(8 U.S.C. § 1326(a))  
(8 U.S.C. § 1326(b)(1))  
(18 U.S.C. § 922(g)(1))  
(18 U.S.C. § 924(a)(2))  
(18 U.S.C. § 924(c)(1)(A))  
(18 U.S.C. § 924(d)(1))  
(21 U.S.C. § 841(a)(1))  
(21 U.S.C. § 841(b)(1)(A))  
(21 U.S.C. § 846)  
(21 U.S.C. § 853)  
(28 U.S.C. § 2461(c))

THE UNITED STATES GRAND JURY CHARGES THAT:

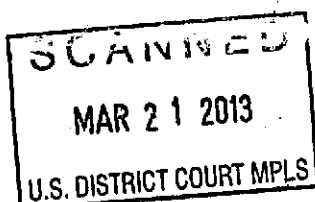
**COUNT 1**

(Conspiracy to Distribute Methamphetamine)

From in or about the Fall of 2009 and continuing through on or about April 20, 2011, in the State and District of Minnesota, the defendant,

**JOSE ALFREDO VARELA-MERAZ,**

did unlawfully, knowingly and intentionally conspire with others, known and unknown to the grand jury, to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and 846.



FILED MAR 20 2013  
RICHARD D. SLETTEN, CLERK  
JUDGMENT ENTERED \_\_\_\_\_  
DEPUTY CLERK'S INITIALS \_\_\_\_\_

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**COUNT 2**

(Possession With Intent to Distribute Methamphetamine)

On or about March 25, 2010, in the State and District of Minnesota, the defendant,

**JOSE ALFREDO VARELA-MERAZ,**

did unlawfully, knowingly and intentionally possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

**COUNT 3**

(Using, Carrying and Possessing a Firearm During and in Relation to, and in Furtherance of, a Drug Trafficking Crime)

On or about March 25, 2010, in the State and District of Minnesota, the defendant,

**JOSE ALFREDO VARELA-MERAZ,**

during and in relation to, and in furtherance of, a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, the crime set forth in Count 2 of this indictment, which is hereby realleged and incorporated herein by reference, did knowingly and unlawfully use, carry and possess a firearm, that is, a Springfield, Model XD-9, nine millimeter handgun, serial number US985495, in violation of Title 18, United States Code, 924(c)(1)(A).

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**COUNT 4**

(Felon in Possession of a Firearm)

On or about March 25, 2010, in the State and District of Minnesota, the defendant,

**JOSE ALFREDO VARELA-MERAZ,**

having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, that is, possession and use of drug paraphernalia, in Yavapai County Superior Court, Prescott, Arizona, did knowingly and unlawfully possess, in and affecting interstate commerce, a firearm, that is, a Springfield, Model XD-9, nine millimeter handgun, serial number US985495, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

**COUNT 5**

(Unlawful Reentry After Removal)

On or about February 28, 2013, in the State and District of Minnesota, the defendant,

**JOSE ALFREDO VARELA-MERAZ,**

an alien, who had previously been removed from the United States on or about April 20, 2011, on or about July 6, 2011, and on or about April 10, 2012, subsequent to felony convictions in the places and on or about the dates indicated, that is,

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<b>Crime</b>	<b>Place of Conviction</b>	<b>Date Committed</b>	<b>Date Sentenced</b>
Possession of Not a Small Amount of Marijuana	Carver County District Court, Minnesota	11/08/2009	04/20/2010
Possession and Use of Drug Paraphernalia	Yavapai County Superior Court, Arizona	01/01/2010	01/07/2010
Reentry of a Removed Alien	U.S. District Court, Las Cruces, New Mexico	08/04/2011	04/05/2012

did knowingly and unlawfully reenter and was found in the United States without having obtained the consent of the Attorney General or his successor, the Secretary of Homeland Security, to re-apply for admission to the United States, in violation of Title 6, United States Code, Sections 202 and 557, and Title 8, United States Code, Sections 1326(a) and 1326(b)(1).

**FORFEITURE ALLEGATION AS TO COUNTS 1 AND 2**

If convicted of either of Counts 1 or 2 of this indictment, the defendant,

**JOSE ALFREDO VARELA-MERAZ,**

shall forfeit to the United States any property constituting, or derived from, any proceeds he obtained, directly or indirectly, as the result of each such violation; any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of each such violation; and any substitute for such property under Title 21, United States Code, Section 853(p); all pursuant to Title 21, United States Code, Section 853.

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**FORFEITURE ALLEGATION AS TO COUNTS 3 AND 4**

If convicted of either of Counts 3 or 4 of this indictment, the defendant,

**JOSE ALFREDO VARELA-MERAZ,**

shall forfeit to the United States any firearms, accessories and ammunition involved in or used in connection with each such violation including, but not limited to, a Springfield, Model XD-9, nine millimeter handgun, serial number US985495, and the magazines and ammunition seized in connection therewith, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

A TRUE BILL

\_\_\_\_\_  
UNITED STATES ATTORNEY

\_\_\_\_\_  
FOREPERSON